

PATENT COOPERATION TREATY

PCT

DECLARATION OF NON-ESTABLISHMENT OF INTERNATIONAL SEARCH REPORT

(PCT Article 17(2)(a), Rules 13~~ter~~.1(c) and 39)

Applicant's or agent's file reference P037161/WO/1	IMPORTANT DECLARATION	Date of mailing (day/month/year) 11/02/2004
International application No. PCT/EP 03/10510	International filing date (day/month/year) 20/09/2003	(Earliest) Priority Date (day/month/year) 29/10/2002
International Patent Classification (IPC) or both national classification and IPC G06F17/60		
Applicant DAIMLERCHRYSLER AG		

This International Searching Authority hereby declares, according to Article 17(2)(a), that **no international search report will be established on the international application for the reasons indicated below.**

1. ☐ The subject matter of the international application relates to:
 - a. ☐ scientific theories.
 - b. ☒ mathematical theories.
 - c. ☐ plant varieties.
 - d. ☐ animal varieties.
 - e. ☐ essentially biological processes for the production of plants and animals, other than microbiological processes and the products of such processes.
 - f. ☐ schemes, rules or methods of doing business.
 - g. ☐ schemes, rules or methods of performing purely mental acts.
 - h. ☐ schemes, rules or methods of playing games.
 - i. ☐ methods for treatment of the human body by surgery or therapy.
 - j. ☐ methods for treatment of the animal body by surgery or therapy.
 - k. ☐ diagnostic methods practised on the human or animal body.
 - l. ☐ mere presentations of information.
 - m. ☐ computer programs for which this International Searching Authority is not equipped to search prior art.

2. ☐ The failure of the following parts of the international application to comply with prescribed requirements prevents a meaningful search from being carried out:

☐ the description
☐ the claims
☐ the drawings

3. ☐ The failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions prevents a meaningful search from being carried out:

☐ the written form has not been furnished or does not comply with the standard.
☐ the computer readable form has not been furnished or does not comply with the standard.

4. Further comments:

Name and mailing address of the ISA/	Authorized officer Olga Benitez
Facsimile No.	Telephone No.

It is not possible to carry out a meaningful search of the claims, since they relate to mathematical theories – PCT Rule 39.1(i).

Although said mathematical theories are intended to be applied in a production network, the technical medium required to do this is not part of the subject matter for which protection is sought.

The indication that the claimed method is intended to be implemented on a PC also does not lend the subject matter of the application the character of anything other than a mathematical theory.

The applicant is advised that claims or parts of claims relating to inventions in respect of which no international search report has been established cannot normally be the subject of an international preliminary examination (PCT Rule 66.1(e)). In its capacity as International Preliminary Examining Authority the EPO generally will not carry out a preliminary examination for subjects that have not been searched. This also applies to cases where the claims were amended after receipt of the international search report (PCT Article 19) or where the applicant submits new claims in the course of the procedure under PCT Chapter II. After entry into the regional phase before the EPO, however, an additional search can be carried out in the course of the examination (cf. EPO Guidelines, C-VI, 8.5) if the defects that led to the declaration under PCT Article 17(2) have been remedied.